

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \* \*

LAUREN CALVERT,

Plaintiff,

v.

MICHAEL WAYNE ELLIS, *et al.*,

Defendants.

Case No. 2:13-cv-00464-APG-NJK

**ORDER GRANTING IN PART AND  
DENYING IN PART MOTION IN  
LIMINE REGARDING LIFE  
EXPECTANCY TABLE**

(Dkt. #184)

Plaintiff Lauren Calvert requests I take judicial notice of the U.S. Census Bureau's life expectancy table and to "instruct the jury to accept the noticed fact as conclusive." (Dkt. #184 at 4.) The defendants do not object to me taking judicial notice of the table, but do not agree that the jury should be instructed that the table is conclusive as it applies to Calvert's life expectancy.

I will take judicial notice of the table. Pursuant to Fed. R. Evid. 201(f), I will instruct the jury that the table is the conclusive statistical compilation of life expectancy statistics for the general population of the United States, as reported by the National Center for Health Statistics (NCHS). (Dkt. #184-1 at 2.) To the extent Calvert is requesting that I instruct the jury that the table is conclusive as to Calvert's life expectancy, I decline to do so. The parties may present evidence and argue about the table and other facts which may impact Calvert's damages based on her particular life expectancy.

IT IS THEREFORE ORDERED that the plaintiff's motion in limine number 3 for judicial notice of the life expectancy table (**Dkt. #184**) is **GRANTED in part and DENIED in part**.

DATED this 6<sup>th</sup> day of January, 2016.

  
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ANDREW P. GORDON  
UNITED STATES DISTRICT JUDGE